

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jane Hirsh, Roman V. Rariy, and Michael Heffernan

Serial No.: 10/690,872

Art Unit: 1618

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Examiner: Leah H. Schlientz

For: *MODIFIED RELEASE COMPOSITIONS OF MILNACIPRAN*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §1.56 and 37 C.F.R. §1.97, Applicants submit a Supplemental Information Disclosure Statement, including one (1) page of Form PTO-1449. Pursuant to the waiver in the notice entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications Filed After June 30, 2003" published on August 5, 2003 in 1273 OG 55, copies of cited U.S. Patents are not enclosed. Copies will be provided upon request, however.

This Supplemental Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(d) after a final Office Action on the merits. The Commissioner is hereby authorized to charge \$180.00, the fee set forth under 37 C.F.R. § 1.17(p), to Account No. 50-3129. It is believed that no additional fee is required with this submission. However, should an additional fee be required, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 50-3129.

**Certification Under 37 C.F.R. §1.97 (e)(2)**

Each item of information listed below this certification in this Supplemental Information Disclosure Statement was not cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, each item listed below was not known to any individual designated in § 1.56(c) more than three months prior to the filing of this Supplemental Information Disclosure Statement.

**U.S. Patents**

<u>Number</u>	<u>Issue Date</u>	<u>Patentee</u>	<u>Class/Subclass</u>
6,340,476	01-22-2002	Midha, et al.	424/469
6,380,200	04-30-2002	Mylari	514/252.14

### Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,

/Patrea L. Pabst/

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Dated: October 26, 2007

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